

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

RICHARD ROGERS, individually and on  
behalf of similarly situated individuals,

*Plaintiff,*

v.

CSX INTERMODAL TERMINALS, INC., a  
Delaware Corporation,

*Defendant.*

No. 19-cv-2937

Hon. Marvin E. Aspen

**STIPULATION TO REMAND ACTION TO THE  
CIRCUIT COURT OF COOK COUNTY, ILLINOIS**

Plaintiff Richard Rogers (“Plaintiff”) and Defendant CSX Intermodal Terminals, Inc. (“Defendant”) (collectively, the “Parties”), by and through their undersigned counsel, hereby stipulate and agree to remand this Action to the Circuit Court of Cook County, Illinois, County Department, Chancery Division. In support of the instant stipulation, the Parties state as follows:

WHEREAS, this Action was originally filed in the Circuit Court of Cook County, Illinois, County Department, Chancery Division on April 1, 2019;

WHEREAS, Plaintiff alleges that Defendant violated sections 15(a) and 15(b) of the Illinois Biometric Information Privacy Act, 740 ILCS § 14/1, *et seq.* (“BIPA”);

WHEREAS, on May 1, 2019, Defendant removed this Action to the United States District Court for the Northern District of Illinois;

WHEREAS, with the assistance of Judge James R. Epstein (Ret.) at JAMS, the Parties have reached a settlement that, if finally approved, will fully and finally resolve all claims asserted against Defendant in this Action;

WHEREAS, the Parties seek to proceed with the settlement in the Circuit Court of Cook

County, Illinois in order to avoid any jurisdictional challenges;

NOW, THEREFORE, the Parties hereby stipulate to remand this matter to the Circuit Court of Cook County, Illinois, County Department, Chancery Division, with each party to bear its own costs and fees.

Dated: October 15, 2020

**RICHARD ROGERS**, individually and  
on behalf of a class of similarly situated  
individuals

**CSX INTERMODAL TERMINALS, INC.**

By: /s/ David L. Gerbie

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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Hon. Marvin E. Aspen  
U.S. District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that, on October 15, 2020, I caused the foregoing *Stipulation to Remand* to be electronically filed with the Clerk of the Court using the CM/ECF system. A copy of said document will be electronically transmitted to all counsel of record.

/s/David L. Gerbie

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